

Notice of Allowability

Application No.

10/659,868

Applicant(s)

VAGO ET AL.

Examiner

Art Unit

Sharidan Carrillo

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/27/2007.
2. ☒ The allowed claim(s) is/are 1-5, 9, 11, 13, 17-18, 20-21, and 26-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

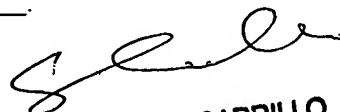
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SHARIDAN CARRILLO
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Ms. Julia Glazer on 6/5/2007.

The application has been amended as follows:

a) Cancel claims 6-8, 10, 12, 14-16, 19, and 22-25.

b) Please replace all previous versions of claims 1, 9, 11, 13, 17 and 20 with the following:

1. (Currently Amended) A method of cleaning an inanimate surface comprising:

- a) having an electric stainbrush, wherein the electric stainbrush comprises
 - i) a handle having a motor disposed therein;
 - ii) a head having a longitudinal axis;
 - iii) a neck disposed between the handle and the head;
 - iv) a first bristle holder associated with the head which oscillates or rotates;
 - v) a second bristle holder associated with the head which reciprocates in generally the same direction as the longitudinal axis of the head but does not rotate or oscillate and wherein the second bristle holder includes a first T-shaped block which depends from a bottom surface of the second bristle holder, wherein the T-shaped block slideably engages a first pair of projections of the head to guide the movement of the second bristle holder;
 - vi) a first set of bristles associated with the first bristle holder; and
 - vii) a second set of bristles associated with the second bristle holder;

wherein the motor is operatively connected to the first and second bristle holders; and

viii) a shaft at least partially disposed within the neck, the shaft being operatively connected to the motor and to at least to one of the first bristle holder and the second bristle holder, wherein the shaft reciprocates;

- b) putting a cleaning solution in contact with the inanimate surface; and
- c) employing the electric stainbrush to brush the cleaning solution on the inanimate surface.

9. (Currently Amended) The method of Claim 8 1, wherein the electric stainbrush further comprises a pin operatively connecting the shaft and the second bristle holder.

11. (Currently Amended) The method of Claim ~~40~~ 9, wherein a said pin engages a hole in the first T-shaped block.

13. (Currently Amended) The method of Claim ~~40~~ 1, further comprising a second T-shaped block which engages a second pair of projections of the head.

17. (Currently Amended) The method of Claim ~~46~~ 1, wherein the electric stainbrush further comprises a cam associated with the shaft.

20. (Currently Amended) A method of cleaning an inanimate surface comprising:

- a) having an electric stainbrush, wherein the electric stainbrush comprises
 - i) a handle having a motor disposed therein;
 - ii) a head having a longitudinal axis;
 - iii) a neck disposed between the handle and the head;
 - iv) a first bristle holder associated with the head which oscillates or rotates;
 - v) a second bristle holder associated with the head which reciprocates in generally the same direction as the longitudinal axis of the head but does not rotate or oscillate wherein the second bristle holder

includes a first T-shaped block which depends from a bottom surface of the second bristle holder, wherein the T-shaped block slideably engages a first pair of projections of the head to guide the movement of the second bristle holder;

vi) a first set of bristles associated with the first bristle holder; ~~and~~

vii) a second set of bristles associated with the second bristle holder;

wherein the motor is operatively connected to the first and second bristle holders; and

viii) a shaft at least partially disposed within the neck, the shaft being operatively connected to the motor and to at least to one of the first bristle holder and the second bristle holder wherein the shaft reciprocates;

b) putting a cleaning solution in contact with the inanimate surface;

c) employing the electric stainbrush to brush the solution on the inanimate surface; and

d) employing the an absorbent stain receiver article to remove the stain from the inanimate surface.

c) Add the following new claims 26-27.

--26. (New) A method of cleaning an inanimate surface comprising:

a) having an electric stainbrush, wherein the electric stainbrush comprises

i) a handle having a motor disposed therein;

ii) a head having a longitudinal axis;

iii) a neck disposed between the handle and the head;

iv) a first bristle holder associated with the head which oscillates or rotates;

v) a second bristle holder associated with the head which reciprocates in generally the same direction as the longitudinal axis of the head but does not rotate or oscillate;

vi) a first set of bristles associated with the first bristle holder;

- vii) a second set of bristles associated with the second bristle holder, wherein the motor is operatively connected to the first and second bristle holders;
- viii) a shaft at least partially disposed within the neck, the shaft being operatively connected to the motor and to at least to one of the first bristle holder and the second bristle holder, wherein the shaft reciprocates, and wherein the shaft comprises a cam in the form of a plurality of spaced apart rings and the second bristle holder further comprises a cam follower in the form of a block having a slot disposed therein, wherein the block depends from a bottom surface of the second bristle holder and wherein the slot is shaped to receive the shaft and the block is disposed between the rings;
- b) putting a cleaning solution in contact with the inanimate surface; and
- c) employing the electric stainbrush to brush the cleaning solution on the inanimate surface.

27. (New) A method of cleaning an inanimate surface comprising:

- a) having an electric stainbrush, wherein the electric stainbrush comprises
 - i) a handle having a motor disposed therein;
 - ii) a head having a longitudinal axis;
 - iii) a neck disposed between the handle and the head;
 - iv) a first bristle holder associated with the head which oscillates or rotates;
 - v) a second bristle holder associated with the head which reciprocates in generally the same direction as the longitudinal axis of the head but does not rotate or oscillate;
 - vi) a first set of bristles associated with the first bristle holder;
 - vii) a second set of bristles associated with the second bristle holder, wherein the motor is operatively connected to the first and second bristle holders;

- viii) a shaft at least partially disposed within the neck, the shaft being operatively connected to the motor and to at least to one of the first bristle holder and the second bristle holder, wherein the shaft reciprocates, and wherein the shaft comprises a pair of projections which extend in a direction transverse from the shaft and wherein the second bristle holder further comprises a block depending from a bottom surface of the second bristle holder having a pair of slots which are shaped to slideably receive the projections;
- b) putting a cleaning solution in contact with the inanimate surface; and
- c) employing the electric stainbrush to brush the cleaning solution on the inanimate surface.—

3. The following is an examiner's statement of reasons for allowance: In several discussions with Ms. Glazer, the examiner indicated that claims 1 and 20, as originally presented were not allowable based on several cited publications, under 35 U.S.C. 103© by Proctor and Gamble. The examiner suggested amendments to claims 1 and 20 to include the limitations of claims 10, 14, or 15, in order to place the application in condition for allowance.

Applicant amended the claims to include the limitations of claims 10, 14 and 15 in independent form. The closest prior art is that of Brown et al. (U.S publications 2006/0191085, 2003/0084527, 2006/0032006). However, these references, as discussed by applicant, are disqualified as references under 35 U.S.C 103© because the cited references and the instant application at the time the instant invention was made were subject to an obligation of assignment to the same organization. In summary, since Brown et al. is disqualified as prior art, and the prior art cited fails to

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teach or suggest a) the second bristle holder includes a first T-shaped block which depends from a bottom surface of the second bristle holder, wherein the T-shaped block slideably engages a first pair of projections of the head to guide the movement of the second bristle holder; or b) the shaft comprises a cam in the form of a plurality of spaced apart rings and the second bristle holder further comprises a cam follower in the form of a block having a slot disposed therein, wherein the block depends from a bottom surface of the second bristle holder and wherein the slot is shaped to receive the shaft and the block is disposed between the rings; or c) wherein the shaft comprises a pair of projections which extend in a direction transverse from the shaft and wherein the second bristle holder further comprises a block depending from a bottom surface of the second bristle holder having a pair of slots which are shaped to slideably receive the projections. Specifically, the prior art fails to teach the above limitations of a), b) or c) in combination with a reciprocating shaft at least partially disposed within the neck, the shaft being operatively connected to the motor and to at least to one of the first bristle holder and the second bristle holder.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Allen teaches cleaning garments using a rotary brush and blotting the stain. Belsito teaches an electric silverware brush. Yukama, Blaustein et al.,

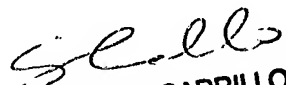
Brown et al., Fattori et al., and Eliav et al. teach an electric toothbrush which reciprocates and rotates. Tan and Prineppi teach an electric toothbrush which rotates and oscillates.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on M-W 6:30-4:00pm, alternating Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sharidan Carrillo
Primary Examiner
Art Unit 1746


SHARIDAN CARRILLO
PRIMARY EXAMINER

bsc